

Department of the Army  
First Region (ROTC)  
United States Army Cadet Command  
Fort Bragg NC 28310-5000


FRMOI 25-55  
31 October 2001

Information Management

FREEDOM OF INFORMATION ACT PROGRAM

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FOR THE COMMANDER:



**KERRY R. PARKER**  
**COL, AD**  
**Chief of Staff**

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PROponent: The proponent of this publication is Administrative Services Branch, Personnel and Administration Division, Headquarters, First Region (ROTC), US Army Cadet Command. Comments should be sent directly to Headquarters, First Region (ROTC), US Army Cadet Command, ATTN: ATOA-PAA, Fort Bragg, North Carolina 28310-5000.

SUPERSESSION: This MOI supersedes FRMOI 25-55, 08 Aug 01.

APPENDIX A: Sample memo - Material not available (page 4)  
B: Sample memo - Material available (page 5)  
C: No Record Certification, FR Form 55, (page 6)

DISTRIBUTION: A; D; J; S

Distribution codes used are explained in FRMOI 25-1.

This document is available on the First Region (ROTC) Web site at:

**[www.rotc1.bragg.army.mil](http://www.rotc1.bragg.army.mil)**

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1. Purpose. This MOI provides policy and procedures for processing request for information submitted under the Freedom of Information Act (FOIA).
2. Applicability. This publication is applicable to all elements of this region.

3. References.

- a. AR 25-55
- b. FRFG DD 2086

4. General.

a. The public has a right to information concerning the activities of its Government. DOD policy is to conduct its activities in an open manner and provide the public with a maximum amount of accurate and timely information concerning its activities, consistent with the legitimate public and private interest of the American people.

b. All First Region (ROTC) personnel are expected to comply with the provisions of the FOIA, referenced publication, and this MOI in both letter and spirit. This strict adherence is necessary to provide uniformity in the implementation of the DOD FOIA program and to create conditions that will promote public trust.

c. The Command Freedom of Information Act Officer is located at Headquarters, US Army Cadet Command, Fort Monroe, VA 23651-1052, telephone (757) 788-4555. All requests for information under the FOIA must be coordinated with the Command FOIA Officer.

5. Policy.

a. Request for information received that either explicitly or implicitly invokes the Freedom of Information Act will be processed as if the information was requested under the FOIA.

b. Request for information submitted under the FOIA will be forwarded by the receiving office to the Cadet Command FOIA Officer by FAX (757) 727-4161 for processing.

c. ALL communications with the requestor will be accomplished by the Cadet Command FOIA Officer. First Region (ROTC) personnel/offices will not communicate directly with the requestor without the approval of the Cadet Command FOIA Officer.

6. Procedures.

a. Immediately upon receipt of a request for information under the FOIA, the individual/office receiving the request must forward the request to the Cadet Command FOIA Officer.

b. The office receiving the request will review the request and, if the requested files are available, gather the requested information and forward the material with their recommendations on the release of the information and a completed DD Form 2086 to the Cadet Command FOIA Officer. If the records are not available, the office will provide Cadet Command FOIA officer with a suggested source for the location of the requested records. A sample memorandum is at Appendix A.

c. If the requested information is not available the Freedom Of Information Act Request "NO RECORD" Certification (FR Form 55) will be completed and forwarded to the Cadet Command FOIA Officer. The DD Form 2086 and the FR Form 55 are available on the INTERNET from the First Region (ROTC) Web site, Personnel and Administration, Freedom of Information Act page.

d. Requested information that is available and, in the opinion of custodian of the record releasable will be forwarded by memorandum to the Cadet Command FOIA Officer for review by the US Army Cadet Command, Staff Judge Advocate (SJA) Office. A sample forwarding memorandum is at Appendix B.

e. Requested information that is available and in the opinion of the custodian **NOT** releasable will be forwarded by memorandum indicating the reason for denial of release or redacted to indicate material that is not releasable to the Cadet Command FOIA Officer for review by the Cadet Command SJA. A clean copy of the requested information and a copy with redacted material will be provided. A sample memorandum is at Appendix B.

f. FRFG DD2086 provides guidance on the preparation of DD Form 2086, Record of Freedom of Information Processing.

7. Inquiries. All inquiries pertaining to the FOIA or the status of a request for information under the FOIA will be referred to the Cadet Command FOIA Officer (757) 788-4555. First Region (ROTC) personnel will not respond directly to the requestor without the specific authority of the Cadet Command FOIA Officer.

FRMOI 25-55  
Appendix A  
31 October 2001

DEPARTMENT OF THE ARMY  
US ARMY ROTC BATTALION ALWAYS CORRECT UNIVERSITY  
ALWAYS CORRECT UNIVERSITY, KNOWLEDGETOWN, NC 12345-6789

ATOA-JNC-ACU

Date

MEMORANDUM FOR Commander, US Army Cadet Command, ATTN: ATCC-PM  
(FOIA Officer), Fort Monroe, VA 23651-1052

SUBJECT: FOIA Request - Smart, Yew B

1. The enclosed request for information under the FOIA is forwarded for your action.
2. The requested information is not available at this office and it is believed that the files are maintained in US Army Cadet Command, Cadet Records.
3. The point of contact at this organization is LTC Im A. Boss, (123) 456-7890.

Encl  
as

IM A. BOSS  
LTC, IN  
Commanding

DEPARTMENT OF THE ARMY  
US ARMY ROTC BATTALION ALWAYS CORRECT UNIVERSITY  
ALWAYS CORRECT UNIVERSITY, KNOWLEDGETOWN, NC 12345-6789

ATOA-JNC-ACU

Date

MEMORANDUM FOR Commander, US Army Cadet Command, ATTN: ATCC-PM  
(FOIA Officer), Fort Monroe, VA 23651-1052

SUBJECT: FOIA Request - Smart, Yew B

1. The enclosed request for information under the FOIA is forwarded for your action.

**Add one of the following paragraphs as your paragraph 2.**

2. This office recommends that the records be released. The requested files are enclosed.

OR

2. This office recommends that the material be released with the exception of that information redacted. We have provided a copy of the material requested and a copy of the material requested with redacted items.

OR

2. This office recommends that the requested material NOT be released for the following reason.
3. Enclosure 2 to this memorandum is a copy of the completed DD Form 2086.
4. The point of contact at this organization is LTC Im A. Boss, (123) 456-7890.

2 Encl  
as

IM A. BOSS  
LTC, IN  
Commanding

**FREEDOM OF INFORMATION ACT (FOIA)  
REQUEST "NO RECORD" CERTIFICATION**

**REQUESTER'S NAME:** \_\_\_\_\_

**DATE OF FOIA REQUEST:** \_\_\_\_\_

**FOIA REQUEST NUMBER:** \_\_\_\_\_

**1. I HEREBY CERTIFY THAT ON \_\_\_\_\_, I \_\_\_\_\_, THE  
RECORDS CUSTODIAN(S) FOR \_\_\_\_\_, PERFORMED A  
PHYSICAL SEARCH OF \_\_\_\_\_.**

**THE FOLLOWING AREA(S) WERE SEARCHED FOR RECORDS ASKED FOR IN THE FOIA  
REQUEST.**

**(CHECK ALL AREAS SEARCHED)**

\_\_\_ **INDIVIDUAL DESK(s)**

\_\_\_ **COMPUTER FILES/DISKETTES**

\_\_\_ **FILE CABINET(s)**

\_\_\_ **LOG BOOK(s)**

\_\_\_ **RECORDS HOLDING AREA**

\_\_\_ **OTHER (IDENTIFY)**  
\_\_\_\_\_

**2. THE FOLLOWING RECORDS WERE NOT FOUND, NEVER EXISTED OR HAVE BEEN  
DESTROYED IN ACCORDANCE WITH AR 25-400-2 (MARKS).**

A. \_\_\_\_\_

B. \_\_\_\_\_

C. \_\_\_\_\_

D. \_\_\_\_\_

**3. IF SUCH RECORDS EXISTED, IT IS LIKELY THEY WOULD BE FOUND WITHIN THE AREA(S)  
SEARCHED. ALL FILES WHICH REASONABLY COULD BE EXPECTED TO CONTAIN THE  
REQUESTED RECORDS WERE SEARCHED, HOWEVER, NO RECORDS RESPONSIVE TO THE  
REQUEST WERE FOUND.**

\_\_\_\_\_  
**(SIGNATURE)**

\_\_\_\_\_  
**(TYPED NAME/RANK OF CERTIFYING  
OFFICER)**